

**THE MINUTES OF THE HOUSE STANDING COMMITTEE
ON
JUDICIARY**

Wednesday, June 6, 2007

9:00 a.m.

Room 521 House Office Building

The House Standing Committee on Judiciary was called to order by **Representative Andy Coulouris**, Vice-Chair.

MEMBERS PRESENT: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca.

MEMBERS ABSENT/EXCUSED: None.

Representative Corriveau moved to adopt the minutes of the **May 23, 2007**, meeting. There being no objection, the motion prevailed by unanimous consent.

Vice-Chair Coulouris laid **HB 4789, 4794, 4795** and **4813** before the committee:

HB 4789	Scott	Vehicles; off-road; operation of an off-road vehicle by certain individuals under the influence of or visibly impaired by alcohol or a controlled substance; prohibit.
HB 4794	Schuitmaker	Watercraft; other; operation of a watercraft by individuals with a high blood alcohol level or with certain controlled substances; prohibit.
HB 4795	Corriveau	Vehicles; snowmobiles; operation of a snowmobile by certain individuals under the influence of alcohol or a controlled substance; prohibit.
HB 4813	Nitz	Criminal procedure; sentencing guidelines; sentencing guidelines for operating vessel, ORV, or snowmobile under influence of alcoholic liquor; revise to include operating with any amount of schedule 1 controlled substances in operator's body.

TESTIMONY

Representative Schuitmaker, sponsor of HB 4794, explained her bill to the committee.

Representative Nitz, sponsor of HB 4813, explained his bill to the committee.

Victor Fitz, Cass County Prosecuting Attorney, testified in support of HB 4794.

Joe Zielinski, representing himself, testified in support of HB 4794.

Representative Scott, sponsor of HB 4789, explained her bill to the committee.

Representative Corriveau, sponsor of HB 4795, explained his bill to the committee.

The following people submitted a card and did not wish to speak:

Phil Hoffman, representing the Michigan Sheriffs' Association, supports the bills.

Bret Marr, representing the Michigan Boating Industries Association, supports HB 4794 with an amendment.

Matt Bolger, representing the Michigan State Police, supports HB 4789, HB 4795 and HB 4794.

Lance Binoniemi, representing the Michigan Licensed Beverage Association, opposes HB 4789, HB 4794 and HB 4795.

Dave Ladd, representing the National Marine Manufacturers Association, supports HB 4794 with amendments.

Shelli Weisberg, representing the American Civil Liberties Union (ACLU) of Michigan, opposes HB 4794 and HB 4795 as written.

Representative Bieda moved to adopt the substitute **(H-1)** to **HB 4794**.

The motion prevailed by a vote of **15-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca,
Nays: None,
Pass: None.

Representative Bieda moved to report **HB 4794** with recommendation, as substitute **(H-1)**.

The motion prevailed by a vote of **15-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca,
Nays: None,
Pass: None.

Chairman Condino moved to adopt the substitute **(H-1)** to **HB 4789**.

The motion prevailed by a vote of **15-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca,
Nays: None,
Pass: None.

Chairman Condino moved to report **HB 4789** with recommendation, as substitute (**H-1**).

The motion prevailed by a vote of **15-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca,
Nays: None,
Pass: None.

Chairman Condino moved to report **HB 4795** with recommendation.

The motion prevailed by a vote of **15-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca,
Nays: None,
Pass: None.

Chairman Condino moved to report **HB 4813** with recommendation.

The motion prevailed by a vote of **15-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, David Law, Elsenheimer, Stakoe, Rick Jones and Rocca,
Nays: None,
Pass: None.

There being no further business to come before the committee, the Vice-Chair adjourned the meeting at 9:55 a.m.

Representative Andy Coulouris, Vice-Chair
House Standing Committee on Judiciary
Malika Abdur-Rashid
Committee Clerk
517-373-7256
55 Minutes